


## **PROGRAM DIRECTOR ACTION REQUEST**

**To:** Ted Rauh, Deputy Director  
Compliance and Enforcement Division

**From:**   
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Manager  
Engineering Support Branch

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**Prepared On:** February 2, 2011

**Attachments:** A. Grant Information for the Local Government Partial Grant Program  
B. Grant Information for the Illegal Disposal Site Cleanup Grant Program

**Subject:** **CONSIDERATION OF AWARDS FOR THE SOLID WASTE  
DISPOSAL AND CODISPOSAL SITE CLEANUP GRANT  
PROGRAM (SOLID WASTE DISPOSAL TRUST FUND, FY  
2010/11)**

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TIME FACTOR: Approval required no later than February 14, 2011.

SUMMARY: Staff has completed an evaluation and recommends approval of two new grant awards totaling \$425,862 pursuant to the two grant programs under the Solid Waste Disposal and Codisposal Site Cleanup Program (Program): the local government partial grants and the illegal disposal site cleanup grants. Table 1 and Table 2 provide general information on the grants. Detailed project information for the grants recommended for approval is presented below.

OPTIONS: The Deputy Director may decide to:

1. Approve the proposed grant awards and direct staff to enter into grant agreements with the awarded applicants; or
2. Disapprove the proposed awards and direct staff as to further action.

**Table 1. Summary of local government partial grants.**

Score-Based Rank	Applicant	Requested Funding	Recommended Funding
1	City of Santa Barbara	\$401,362	\$401,362

**Table 2. Summary of illegal disposal site cleanup grants.**

Score-Based Rank	Applicant	Requested Funding	Recommended Funding
1	City of Santa Clarita	\$24,500	\$24,500

**RECOMMENDATION:** Staff recommends Option 1.

**DISCUSSION:** The Program addresses cleanup of solid waste disposal and codisposal sites where the responsible party either cannot be identified or is unable or unwilling to pay for a timely remediation and where cleanup is needed to protect public health and safety or the environment. Cleanup projects are implemented through contracts, grants, and loans. The California Integrated Waste Management Board [now the Department of Resources Recycling and Recovery (CalRecycle)] approved Program policies in February and September 1994, March and September 1995, and February, June, and August 1999. Regulations incorporating the approved policies were adopted by the Board in May 2000 and became effective September 11, 2000. In addition, CalRecycle approved the grant scoring criteria and the evaluation process for fiscal years 2010/11 and 2011/12 in August 2010.

As these are grants, any applicant's need for the funds must be considered. Each grant application has a section for applicants to substantiate the need for the grant funds that is evaluated by staff as part of the General Scoring Criteria. In all cases, the applicants have expressed that their current funding is inadequate to complete the project. In addition, there is also a section for the substantiation of the threat to public health and safety and/or the environment, which is also evaluated by staff as part of the General Scoring Criteria. Based on the evaluations, the need for funding and the threat being remediated are quantified and included in the grant's overall score and subsequent prioritization.

Title 14, California Code of Regulations, section 18904 specifically lists eligible and ineligible remedial actions under the Program and allows CalRecycle to consider approval of any other remedial actions not specified as ineligible. Unless otherwise noted, specific actions proposed for each project are specifically eligible pursuant to the regulations.

**Local Government Partial Grant Program**

The funding of the proposed grant to the City of Santa Barbara totaling \$401,362 is summarized in Table 3. A brief summary of the recommended grant is included in Attachment A.

**Table 3. Funding summary of local government partial grants.**

Fund Source	Amount Available	Amount to Fund Item	Amount Remaining	Line Item
SWDTF (FY 2010/11)	\$724,932	\$401,362	\$323,570	Grants

With respect to local government partial grants, CalRecycle may award partial grants to public entities to clean up (among other sites) publicly operated solid waste disposal and codisposal sites that have always operated as public facilities. As a grant is essentially a bestowal of funds, cost recovery is not an issue in those cases, even though the public entity grantee is the "responsible party" for the cleanup. Therefore, this applicant is not subject to cost recovery by CalRecycle.

**Illegal Disposal Site Cleanup Grant Program**

The funding of the proposed grant to the City of Santa Clarita totaling \$24,500 is summarized in Table 4. A brief summary of the recommended grant is included in Attachment B.

**Table 4. Funding summary of illegal disposal site cleanup grants.**

Fund Source	Amount Available	Amount to Fund Item	Amount Remaining	Line Item
SWDTF (FY 2010/11)	\$103,376	\$24,500	\$78,876	Grants

With respect to illegal disposal site cleanup grants, cost recovery is not applicable when the grants involve the cleanup of public land maintained for public benefit and use and the entity did not cause or gain a benefit from the disposal of the waste. A grant is appropriate and cost recovery is not applicable as to the public entity. The proposed grant involves the cleanup of a public land maintained for public benefit and use and the applicant did not cause or gain a benefit from the disposal of the waste. Therefore, the applicant will not be subject to cost recovery by CalRecycle. With respect to the use of grant funds to cleanup private parcels, the public entities would be required to agree to pursue cost recovery on behalf of CalRecycle.

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I hereby approve grants totaling four hundred twenty-five thousand, eight hundred sixty two dollars (\$425,862) and direct staff to develop and execute the Grant Agreements with the following:

**Local Government Partial Grant Program**

City of Santa Barbara.....\$401,362

**Illegal Disposal Site Cleanup Grant Program**

City of Santa Clarita.....\$24,500

The award of each grant is conditioned upon full payment within ninety (90) days of the date of this grant award of all outstanding debt(s) or scheduled payment(s) owed by the proposed Grantee to the Department of Resources Recovery and Recycling (CalRecycle).

The award of each grant is further conditioned upon the return by the proposed Grantee of a complete and executed Grant Agreement within ninety (90) days from the date of the mailing of the grant agreement package by CalRecycle.



Ted Rauh, Deputy Director  
Compliance and Enforcement Division

FEBRUARY 9, 2011  
Date

**ATTACHMENT A**  
**Grant Information for the Partial Grant to Public Entities**

Applicant: City of Santa Barbara (City)

Estimated Project Cost: \$1,014,289

Requested Amount: \$401,362

Amount Recommended: \$401,362

**Project Description:** The Elings Park Landfill (also known as the Las Positas Landfill, Facility Number 42- AA-0049) is a former municipal solid waste landfill that closed in 1967. Ten years after the closure, the Elings Park Foundation began leasing the site from the City of Santa Barbara in order to transform the former landfill into a usable public space. In March of 2001 monthly monitoring of perimeter gas probes began showing levels of methane above state standards. In August of 2007 the County of Santa Barbara's Environmental Health Services Division asked the City of Santa Barbara for a timeline to construct a landfill gas extraction system. Though the City's response was delayed due to budgetary constraints and to efforts to work with the Elings Park Foundation to minimize impacts to their operations, the City of Santa Barbara is set to begin construction of the landfill gas collection and control system in February 2011.

The closed landfill at Elings Park is a City-owned property and, as such, the City is the responsible party for compliance with closed landfill regulations at this site. The City is proposing to bring the site into compliance by installing a landfill gas collection and control system (GCCS) at the site. The objective of the proposed GCCS is to permanently control landfill gas at Elings Park to ensure a healthy and safe place for the community. The GCCS will utilize four vertical extraction wells connected to a thermal oxidizer and a blower. If necessary, the GCCS may be upgraded in the future, as needed, to continue to comply with regulatory standards.



**ATTACHMENT B**  
**Grant Information for the Illegal Disposal Site Cleanup Grant**

Applicant: City of Santa Clarita

Estimated Project Cost: \$59,278

Requested Amount: \$24,500

Amount Recommended: \$24,500

**Project Description:** The City of Santa Clarita (City) is requesting grant funding for two annual local River Rally events scheduled for September 2011 and 2012. Each year since 1994, the City has been successful at implementing an annual River Rally, which is a river clean up and stewardship event for the portion of the Santa Clara River that runs through the City. The first event in 1994 had approximately 100 volunteers. Over the last sixteen years, attendance has grown to well over 1,400 volunteers annually. Over the lifetime of the event, volunteers removed 339,000 pounds of trash and debris.

The Santa Clara River is one of only two remaining natural rivers in Southern California and the City is dedicated to preserving the portion which runs through the City boundaries. Since the Santa Clara River is primarily a dry riverbed throughout most of the year it is a haven for illegal dumping. The River Rally event cleans a section of the Santa Clara River each year that is in need of remediation due to the illegal dumping. Examples of the various types of waste that have been removed from the river include bulky items such as refrigerators, mattresses, tires, construction debris, hazardous waste, and litter such as paper, beverage containers, and broken glass. The waste that is dumped into the river bed poses both an environmental and public health risk. The Santa Clara River supports a number of endangered and threatened species. In particular the endangered Unarmored Threespine Stickleback whose primary habitat is the Santa Clarita Valley is directly affected by the illegal dumping along the Santa Clara River.

The event has multiple partners which include, but are not limited to, Friends of the Santa Clara River, Sierra Club, Castaic Lake Water Agency, Newhall County Water District, Los Angeles County Sanitation District, Los Angeles County Public Works, South Coast Air Quality Management District, Metro (MTA), the City's Urban Forestry and Community Preservation Division. The partners provide educational outreach materials to the volunteers after they have performed their clean-up efforts and exited the river.

Grant funds requested include \$17,040 to obtain the services of field biologists to comply with Department of Fish and Game Streambed Alteration Permit requirements. As part of these requirements, field biologists will survey the site prior to the cleanup to tag sensitive areas and provide training to all volunteer participants before they enter the river to prevent the inadvertent habitat destruction. The remaining grant funds will be used for pre-event advertisement and

outreach and to cover City's street maintenance worker labor costs to assist and manage the cleanup event. The City will contribute in-kind service of staff time toward the project for event promotion, organization and management, and to obtain the required permits. The City's franchised commercial hauler will provide trash bins and waive disposal costs. The other partners and sponsors of the event will provide educational outreach materials to the volunteers after they have performed their cleanup efforts and exited the river.

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